

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Thursday, December 13, 2012**

Members present were George Allan Hayden, Chairman; Randy Guy, Robert Moreland, George T. Edmonds, and Ronald Payne. Alternate John Brown was also present. Department of Land Use & Growth Management (LUGM) staff present were Yvonne Chaillet, Zoning Administrator; and Jada Stuckert, Recording Secretary. Attorney George Sparling was also present.

A sign-in sheet is on file at LUGM. All participants in all cases were sworn in. The Chair called the meeting to order at 6:30 p.m.

PUBLIC HEARINGS

VAAP #12-1689 - Cullison

Ms. Carrie Ann Heinz, LUGM was sworn for the record. The applicant is requesting a variance to disturb the Critical Area Buffer to construct a replacement dwelling. The property contains 1.25 acres; is zoned Rural Preservation District, Resource Conservation Area Overlay; and is located at 16340 Piney Point Road, Piney Point, Maryland; Tax Map 69, Grid 09, Parcel 153.

Owner: Mark Cullison
Present: Robert Trautman, for the Applicant

The property and variance request were advertised in The Enterprise on November 28, 2012 and December 5, 2012. Ms. Heinz submitted the certification of property posting and mailing receipts for the record, *hereby labeled as Exhibit 1 by the Recording Secretary*. Ms. Heinz gave an overview of the staff report dated November 28, 2012 and the specific standards for granting variances in the Critical Area and the 100-foot Critical Area Buffer. Ms. Heinz submitted the staff report for the record, *hereby labeled as Exhibit 2 by the Recording Secretary*.

Robert Trautman, for the Applicant, was sworn for the record. Mr. Trautman gave an overview of the requested variance stating the replacement dwelling will be an improvement to the neighborhood.

Chairman Hayden opened the hearing to public comment, hearing none, closed the hearing to public comment.

Mr. Guy made a motion in the matter of VAAP #12-1689, Cullison, having made a finding that the standards for granting a variance in the Critical Area and the objectives of Section 71.8.3 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance request to disturb the Critical Area Buffer to construct a replacement single-family dwelling and Mr. Edmonds seconded. The motion passed by a 5-0 vote.

VAAP #12-110-025 – Woodburn Acres - Withdrawn

MINUTES AND ORDERS APPROVED

The minutes of November 15, 2012 were approved as recorded.

The Board authorized the Chair to review and sign the following orders:

VAAP #07-3195 – Bright
VAAP #12-1562 – Hackett
VAAP #11-1852 – Holt

ANNOUNCEMENT

Chairman Hayden thanked George Edmonds for his eight years of service to the Board of Appeals as this will be his last meeting.

ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

Jada Stuckert, Recording Secretary

Approved in open session: January 10, 2013

George Allan Hayden
Chairman